

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID W. HULL,)	
)	Civil Action No. 09 - 692
Plaintiff,)	
)	Judge Gary L. Lancaster /
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
CHRIS EYSTER,)	
)	
Defendant.)	

ORDER

The above captioned case was initiated on June 2, 2009, by the filing of a motion to proceed in forma pauperis. The case is assigned to Judge Gary L. Lancaster and referred to Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and 72.1.3 and 72.1.4 of the Local Rules.

The Magistrate Judge's Report and Recommendation (Doc. No. 7), filed on September 17, 2009, recommended that the Complaint (Doc. No. 3) be dismissed with prejudice in accordance with the directives of the Prison Litigation Reform Act under 28 U.S.C. § 1915(e)(2)(B) . The plaintiff was served at his address of record, which is U.S.P. Allenwood, P.O. Box 3000, White Deer, PA 17887, and was advised he was allowed ten (10) days from the date of service to file written objections to the report and recommendation. No objections have been filed. After review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

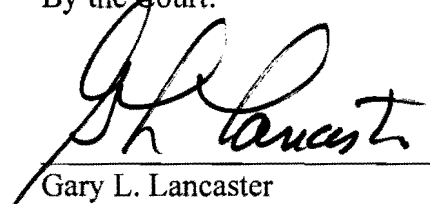
AND NOW, this 16th day of Oct, 2009;

IT IS HEREBY ORDERED that the Complaint (Doc. No. 3) be **DISMISSED** **WITH PREJUDICE** in accordance with the directives of the Prison Litigation Reform Act under 28 U.S.C. § 1915(e)(2)(B).

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 7) of Magistrate Judge Lenihan, dated September 17, 2009, is adopted as the opinion of the court.

Dated:

By the Court:



Gary L. Lancaster
Chief United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

David W. Hull
07657068
U.S.P. Allenwood
P.O. Box 3000
White Deer, PA 17887